

Mayor Bill Seuell called the meeting to order at 7:00 p.m. Also present were Councilmembers Kay Carlquist, Robert Jurca, and Mary Cooper, along with City Manager Lanny Sloan and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

There were none.

Minutes

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to approve the minutes of December 18, 2007, as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Hotel/Restaurant Liquor License Transfer of Ownership: Ocean Pearl, LLC

City Clerk Mary Lynn Williams reported that Ocean Pearl has had a change in partnership. The change in partnership triggered the need to apply for a transfer of ownership. The owners chose to apply for a license as Limited Liability Company rather than as a partnership. The Police Department has run a criminal records check on both applicants, and indicates neither has a record. Fingerprints of both applicants have been submitted to CBI and FBI.

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to approve the transfer of the Ocean Pearl-Delta hotel/restaurant liquor license from Ocean Pearl-Delta LLP to Ocean Pearl-Delta, LLC, contingent on receiving favorable fingerprint reports on the owners. All in favor, motion carried.

Approval of Purchase Agreement with Spillman Technologies, Inc.

Interim Police Chief Roger Christian stated that at the last meeting he presented to Council a recommendation to purchase the Spillman Technologies, Inc. records management system and there were some questions at that time.

City Attorney Schottelkotte stated that his original opinion was that there needed to be a supplemental appropriation to the budget approved before the purchase. He reported that the supplemental appropriation can be done after the approval. He sees no problem in approving the purchase, now.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to approve the purchase of the Spillman RMS system for the budget year 2008. All in favor, motion carried.

Resolution #1, 2008; Authorizing the April 1, 2008 Election to be Conducted by Mail Ballot

City Clerk Mary Lynn Williams reported that the last two elections that the City has held have been mail ballot elections with the assistance of the Delta County Clerk and Recorder's Office. Both elections were flawless and very well handled. Voter turnout has increased since the City has switched to mail ballot elections. New rules and regulations governing how elections are run since adoption of the Help America Vote Act have made elections even more complicated to conduct. For these reasons, staff recommends holding the 2008 election by mail ballot with the assistance of the Delta County Clerk and Recorder's Office.

Resolution #1, 2008

A RESOLUTION OF THE CITY OF DELTA, COLORADO,
AUTHORIZING THE APRIL 1, 2008 REGULAR MUNICIPAL ELECTION
TO BE CONDUCTED BY MAIL BALLOT

Regular Meeting, Delta City Council, January 8 2008 (Cont.)

Resolution #1, 2008 (Cont.)

was read by the Deputy Clerk.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to adopt Resolution #1, 2008. Roll call vote: Councilmembers Carlquist aye; Jurca, aye; Cooper, aye, Seuell, aye. Motion Carried.

The City Clerk handed the Councilmembers each a copy of the press release giving information concerning candidate qualifications and nomination petition deadlines.

Purchase of Vacant Property on Columbia

Assistant City Manager Steve Glammeyer reported that Council had authorized staff to have the City Attorney prepare a purchase agreement for the vacant property located on Columbia Street just north of 2nd Street. City Attorney Schottelkotte has coordinated with Bray & Company to prepare the agreement and the owners have signed the agreement agreeing to sell the property for the appraised price of \$30,000. He stated that this piece of property is critical for the alternate truck route. Staff recommends purchase of this property for the appraised price.

It was moved by Councilmember Carlquist and seconded by Councilmember Cooper that the City enter into the purchase contract for the purchase of vacant property on Columbia Street for future right-of-way for the alternate truck route project. All in favor, motion carried.

Purchase of Therapy Pool Filter

Culture & Recreation Division Director Wilma Erven reported that there is a request to purchase two fiberglass composite horizontal filter tanks for the therapy pool at the recreation center. A considerable amount of research has gone into this project. She stated that they could only find two companies that could fulfill the space constraints that they have. One company carries the fiberglass tanks and the other carries the steel tanks that would fit. Staff is recommending the fiberglass tanks for the space and the longevity of the tanks. CEM Sales & Service provided a bid for the fiberglass tanks for \$32,980 and Aqueous Solution, Inc. provided a bid for \$33,000 for steel tanks. Staff recommends awarding the contract to CEM Sales & Service.

City Attorney Schottelkotte asked about any warranty that may be provided. Director Erven stated that the steel tanks would only have a 15 year warranty and would need to get information on the warranty for the fiberglass tanks.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca that the City award the Recreation Center Therapy Pool Filter project to CEM Sales & Service in the amount of \$32,980 contingent on an applicable warranty. All in favor, motion carried.

Ordinance #25, 2007; Second and Final Reading; Rezoning of Property Located at 1265 H-25 Road

Ordinance #25, 2007

AN ORDINANCE OF THE CITY OF DELTA, COLORADO, CHANGING
THE ZONING DESIGNATION OF PROPERTY AT 1265 H-25 ROAD
FROM AN A-1 DISTRICT TO A B-3 DISTRICT

was introduced as Council Bill #26, 2007, and read by the Deputy Clerk.

It was moved by Councilmember Carlquist and seconded by Councilmember Cooper to adopt Council Bill #26, 2007 on second reading. Roll call vote: Councilmembers Carlquist, aye; Jurca aye; Cooper aye; Seuell, aye. Council Bill #26, 2007 was adopted on second and final reading as Ordinance #25, 2007.

Ordinance #26, 2007; Second and Final Reading; Rezoning of Property Located at 1755 H Road

Ordinance #26, 2007

Regular Meeting, Delta City Council, January 8 2008 (Cont.)

Ordinance #26, 2007 (Cont.)

AN ORDINANCE OF THE CITY OF DELTA, COLORADO, CHANGING
THE ZONING DESIGNATION OF PROPERTY ADJACENT TO 1755 H
ROAD FROM AN A-1 DISTRICT TO A B-2 DISTRICT

was introduced as Council Bill #27, 2007, and read by the Deputy Clerk.

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to adopt Council Bill #27, 2007 on second reading. Roll call vote: Councilmembers Carlquist, aye; Jurca aye; Cooper aye; Seuell, aye. Council Bill #27, 2007 was adopted on second and final reading as Ordinance #26, 2007.

City Attorney Comments

Attorney Schottelkotte stated that he will be absent at the February 6, 2008 meeting.

City Manager Comments

City Manager Lanny Sloan stated that there will be a Special Meeting held Thursday night starting at 6:30 p.m., to discuss the donation requests that have been submitted for this year and to interview the applicants for the vacant Councilmember position.

Councilmember Comments

Councilmember Carlquist stated that she will also be absent at the February 6, 2008 meeting.

Councilmember Cooper advised that she attended a DADI meeting last week. Delta has a tremendous amount of interest and business is moving in.

It was moved by Councilmember Cooper and seconded Councilmember Jurca to go into Executive Session for discussion of a personnel matter under CRS Section 24-6-402(4)(f) and not involving any specific employees who have requested discussion of the matter in open session; any member of the City Council or any elected office; the appointment of any person to fill an office of the City Council or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. All in favor, motion carried.

At 7:25 p.m., the Regular Meeting was recessed. The Executive Session was convened a short time later.

At 8:20 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Councilmembers Kay Carlquist, Robert Jurca, and Mary Cooper. City Manager Lanny Sloan had excused himself. For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was adjourned at 8:21 p.m.

Jolene E. Nelson, Deputy City Clerk